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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 CORY LAMONT THOMAS,

9 Plaintiff,

10 v.

11 DEPARTMENT OF CORRECTIONS, et  
12 al.,

13 Defendants.

Case No. C08-5234BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

14 This matter comes before the Court on the Report and Recommendation of the  
15 Honorable J. Kelley Arnold, United States Magistrate Judge. Dkt. 14. The Court having  
16 considered the Report and Recommendation, Plaintiff's failure to file objections, and the  
17 remaining record, does hereby find and order:

- 18 (1) The Court adopts the Report and Recommendation; and  
19 (2) This action is **DISMISSED without prejudice** for failure to prosecute and  
20 failure to comply with court orders.

21 DATED this 7<sup>th</sup> day of November, 2008.

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24 BENJAMIN H. SETTLE  
25 United States District Judge  
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28 ORDER